# MICHIGAN HOUSE OF REPRESENTATIVES

# DAILY CALENDAR

THURSDAY, JUNE 30, 2005 10:30 a.m.

#### MOTIONS AND RESOLUTIONS

— 1 ——

### HB 4758 Rep. Kathleen Law

Environmental protection; landfills; solid waste; establish disposal charge.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding secs. 11532a & 11532b.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kathleen Law May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

**4759** Rep. Espinoza 2

HB

Environmental protection; funding; earmarking of surcharge on solid waste entering landfills; provide for.

Amends secs. 11502, 11503, 11504, 11505 & 11506 of 1994 PA 451 (MCL 324.11502 et seq.); adds secs. 11532c, 11532d, 11532e, 11532f, 11532g & 11532h & repeals sec. 11532h of 1994 PA 451 (MCL 324.11532h).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Espinoza May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

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**HB 4760** Rep. Kehrl

Environmental protection; landfills; moratorium on landfill new construction and expansion; provide for.

Amends sec. 11511a of 1994 PA 451 (MCL 324.11511a) & repeals sec. 11511a of 1994 PA 451 (MCL 324.11511a) & enacting section 1 of 2004 PA 38.

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Kehrl May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

#### **HB** 4761 Rep. Miller

Environmental protection; landfills; list of jurisdictions authorized to export waste to Michigan; require updating of and removal of jurisdictions whose waste contains prohibited materials.

Amends sec. 11526b of 1994 PA 451 (MCL 324.11526b).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. Miller May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May 18, 2005.)

#### MOTIONS AND RESOLUTIONS

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### **HB** 4762 Rep. McDowell

Environmental protection; solid waste; civil infractions for solid waste violations; establish.

Amends secs. 11546 & 11549 of 1994 PA 451 (MCL 324.11546 & 324.11549).

(Notice of intent to discharge from the Committee on Natural Resources, Great Lakes, Land Use, and Environment given by Rep. McDowell May 17, 2005.)

(Motion to discharge; record roll call ordered; passed for day May  $18,\,2005.$ )

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# HB 4476 Rep. Condino

Single business tax; rate; reduce rate; provide for, create research and development tax credit, revise sales factor apportionment, and provide for other amendments.

Amends 1975 PA 228 (MCl 208.1 - 208.145) by adding ch. 5A & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115.

(Notice of intent to discharge from the Committee on Tax Policy given by Speaker DeRoche June 17, 2005.)

(Motion to discharge; passed for day June 21, 2005.)

#### HB 4477 Rep. Meisner

Property tax; assessments; calculation of additions and losses; revise.

Amends sec. 34d of 1893 PA 206 (MCL 211.34d).

(Notice of intent to discharge from the Committee on Tax Policy given by Speaker DeRoche June 17, 2005.)

(Motion to discharge; passed for day June 21, 2005.)

#### REPORTS OF STANDING COMMITTEES

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### HR 79 Rep. Anderson

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(For text of resolution, see House Journal No. 48, page 718 or Session Website; laid over 1 day June 8, 2005.)

#### REPORT OF STANDING COMMITTEES

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#### **HCR** 15 Rep. Stahl

A resolution to memorialize the Congress of the United States and the United States Department of Agriculture (USDA) to provide assistance in the effort to mitigate the infestation of the Emerald Ash Borer.

(Reported by the Committee on Agriculture.)

(House substitute (H-1) offered; postponed temporarily June 14, 2005.)

(For proposed House substitute (H-1), see Session Website.)

(For text of proposed House substitute (H-1), see House Journal No. 54, page 854 or Session Website.)

(For text of resolution, see House Journal No. 46, page 700 or Session Website; laid over 1 day June 8, 2005.)

#### MESSAGES FROM THE SENATE

\_\_\_\_\_ 10 \_\_\_\_\_

### **HB 4702** Rep. Pavlov

Crimes; other; disseminating sexually explicit matter to minors; include video game in definition of sexually explicit matter.

Amends sec. 3 of 1978 PA 33 (MCL 722.673).

(Returned from Senate with amendment and immediate effect; laid over 1 day June 1, 2005.)

(I.E. House May 10, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendment, see House Journal No. 49, page 744 or Session Website.)

### HB 4703 Rep. Pearce

Trade; consumer goods and services; sign posted with video game rating system; require and require brochure to be available explaining rating system.

Amends title of 1931 PA 328 (MCL 750.1 - 750.568) & adds sec. 143a.

(Returned from Senate with amendments and immediate effect; laid over 1 day June 1, 2005.)

(I.E. House May 10, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendments, see House Journal No. 49, page 744 or Session Website.)

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#### **SB** 513 Sen. Hammerstrom

Elections; other; regular, school district, village, and recall elections; provide general amendments.

Amends secs. 301, 302, 312, 370, 381, 498, 641, 642a, 653a, 699 & 963 of 1954 PA 116 (MCL 168.301 et seg.).

(Re-returned from Senate with amendments to House substitute (H-1); laid over 1 day June 28, 2005.)

(I.E. House June 16, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate amendments, see House Journal No. 60, page 985 or Session Website.)

#### MESSAGES FROM THE SENATE

\_\_\_\_ 13 \_\_\_\_\_

#### **HB** 4465 Rep. Steil

Natural resources; hunting; internet hunting; prohibit. Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 40111b.

(Returned from Senate with Senate substitute (S-1) and immediate effect; laid over 1 day June 29, 2005.)

(I.E. House June 15, 2005.)

(For House substitute (H-3), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

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# **HB** 4541 Rep. Byrum

Liquor; other; motorsports entertainment complexes with 1,500 or more seats; allow patrons to bring in their own alcoholic beverages under certain circumstances.

Amends sec. 518 of 1998 PA 58 (MCL 436.1518).

(Returned from Senate with amendment and immediate effect; laid over 1 day June 29, 2005.)

(I.E. House May 25, 2005.)

(For House substitute (H-3), see Session Website.)

(For Senate amendment, see House Journal No. 61, page 1051 or Session Website.)

\_\_\_\_ 15 \_\_\_\_\_

### **HB** 4887 Rep. Moolenaar

Appropriations; zero budget; multisection school aid bill; provide for fiscal year 2005-2006.

Amends secs. 11 & 17b of 1979 PA 94 (MCL 388.1611 & 388.1617b).

(Returned from Senate with Senate substitute (S-2); laid over 1 day June 29, 2005.)

(I.E. House June 22, 2005.)

(For House substitute (H-1), see Session Website.)

(For Senate substitute (S-2), see Session Website.)

#### THIRD READING

— 16 —

#### **HJR** C Rep. Moolenaar

Education; other; constitutional amendment to provide for gubernatorial appointment of superintendent of public instruction; provide for.

Amends sec. 3, art. VIII of the state constitution.

(Reported by the Committee on Education.)

(Not adopted; notice of intent to reconsider vote given by Rep. Ward May 3, 2005.)

(Vote reconsidered; passed for day May 4, 2005.)

(For House substitute (H-4), see Session Website.)

# **HB** 4636 Rep. Hildenbrand

Trade; consumer goods and services; sale of certain consumer items without item pricing; allow under certain conditions.

Amends secs. 1 & 3 of 1976 PA 449 (MCL 445.351 & 445.353) & adds secs. 3a & 3b.

(Reported by the Committee on Commerce.) (For House substitute (H-2), see Session Website.)

#### MOTIONS AND RESOLUTIONS

\_\_\_\_ 18 \_\_\_\_\_

#### SB 522 Sen. McManus

Public utilities; other; use of highway by public utilities; provide for under certain conditions.

Amends sec. 13 of 1925 PA 368 (MCL 247.183).

(Reported by the Committee on Energy and Technology.) (Passed; notice given to reconsider passage June 28,

(Motion to reconsider passage; postponed for day June 29, 2005.)

(For House amendments, see House Journal No. 60, page 963 or Session Website.)

— 19 *—* 

SB 551 Sen. Patterson

Communications; telecommunications; rule making and eliminate sunset of the Michigan telecommunications act; provide for.

Repeals enacting section 1 of 2004 PA 591.

(Reported by the Committee on Energy and Technology.)

(Passed; notice given to reconsider passage June 28, 2005.)

(Motion to reconsider passage; postponed for day June 29, 2005.)

#### SECOND READING

### **HB** 4582 Rep. Hopgood

School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for.

Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.

(Rule suspended; discharged from the Committee on Appropriations.)

<del>\_\_\_\_ 21 \_\_\_\_\_</del>

### HB 4374 Rep. Marleau

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends  $\bar{1}956$  PA  $\bar{2}18$  (MCL 500.100 - 500.8302) by adding sec. 2111a.

(Pursuant to Section 24.245a of the Michigan Compiled Laws, placed on calendar.)

— 22 —

#### **SB** 170 Sen. Patterson

Crimes; domestic violence; certain warrant and police policies for domestic violence involving individuals who have had a dating relationship; establish and revise other sentencing guideline provisions.

Amends sec. 1a, ch. IV, sec. 16a, ch. IX, sec. 22, ch. XVI & secs. 15g, 16m & 16s, ch. XVII of 1927 PA 175 (MCL 764.1a et seq.).

(Reported by the Committee on Judiciary.)

\_\_\_\_ 23 \_\_\_\_\_

### HB 4204 Rep. Gosselin

Sales tax; collections; sales tax collection on gasoline; provide for cap.

Amends sec. 4a of 1933 PA 167 (MCL 205.54a).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-3), see Session Website.)

#### SECOND READING

\_\_\_\_ 24 \_\_\_\_\_

### **HB** 4206 Rep. Stakoe

Construction; other; standards and administrative process regarding conflict of interest; provide for inspectors in buildings trades.

Amends sec. 10 of 1986 PA 54 (MCL 338.2310).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

\_\_\_\_ 25 \_\_\_\_\_

# HB 4207 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 39 of 2002 PA 733 (MCL 338.3549).

(Reported by the Committee on Local Government and Urban Policy.)

\_\_\_\_ 26 \_\_\_\_\_

### HB 4208 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends sec. 7a of 1956 PA 217 (MCL 338.887a).

(Reported by the Committee on Local Government and Urban Policy.)

\_\_\_\_ 27 \_\_\_\_\_

# HB 4209 Rep. Stakoe

Construction; other; licensee acting as inspector; clarify specific activities regarded as a conflict of interest.

Amends 1984 PA 192 (MCL 338.971 - 338.988) by adding sec. 13a.

(Reported by the Committee on Local Government and Urban Policy.)

\_\_\_\_ 28 \_\_\_\_\_\_

## HB 4257 Rep. Walker

Taxation; farmland and open space; agricultural security areas; provide for.

Amends heading of pt. 361 of 1994 PA 451 (MCL 324.101 - 324.90106) & adds pt. 363.

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_\_ 29 \_\_\_\_\_

### HB 4235 Rep. Nitz

Transportation; other; requirement of 2% biodiesel to be included in fuel products; provide for.

Amends secs. 2, 3 & 5 of 1984 PA 44 (MCL 290.642 et seq.).

(Reported by the Committee on Agriculture.)

\_\_\_\_ 30 \_\_\_\_\_

### SB 301 Sen. Gilbert

State; identification cards; heart logo on personal identification cards; allow.

Amends secs. 1 & 2 of 1972 PA 222 (MCL 28.291 & 28.292).

(Reported by the Committee on Transportation.) (For Senate substitute (S-1), see Session Website.)

#### SECOND READING

<del>\_\_\_\_ 31 \_\_\_\_</del>

#### **HB** 4274 Rep. Vander Veen

Insurance; third party administrators; disclosure of certain claims history to certain persons; provide for.

Amends sec. 34 of 1984 PA 218 (MCL 550.934) & adds sec. 31.

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 32 \_\_\_\_

#### SB 72 Sen. Birkholz

Education; students; pledge of allegiance; require to be offered in public schools.

Amends 1976 PA 451 (MCL 380.1 - 380.1852) by adding sec. 1304.

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 33 \_\_\_\_\_

#### **HB 4473** Rep. Ward

Housing; inspection; scope of application to include certain townships and timing of inspections to be modified; provide for.

Amends secs. 1 & 126 of 1917 PA 167 (MCL 125.401 & 125.526).

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-2), see Session Website.)

\_\_\_\_ 34 \_\_\_\_\_

### **HB 4740** Rep. Nitz

Transportation; other; roadside memorial program; provide for.

Amends 2001 PA 142 (MCL 250.1001 - 250.2080) by adding sec. 76.

(Reported by the Committee on Transportation.)

(For proposed House substitute (H-3), see Session Website.)

\_\_\_\_ 35 \_\_\_\_\_

### HB 4576 Rep. Stakoe

Natural resources; inland lakes; dedicated public access sites; establish allowable uses.

Amends 1994 PA 451 (MCL 324.101 - 324.90106) by adding sec. 30111a.

(Reported by the Committee on Local Government and Urban Policy.)

(For proposed House substitute (H-3), see Session Website.)

<del>\_\_\_\_ 36 \_\_\_\_</del>

#### SB 193 Sen. George

Courts; district court; election districts within the eighth judicial district; eliminate.

Amends sec. 8117 of 1961 PA 236 (MCL 600.8117).

(Reported by the Committee on Judiciary.)

#### SECOND READING

#### **HB** 4803 Rep. Gaffney

Education; calendar; school year; require to begin after Labor day.

Amends sec. 1284b of 1976 PA 451 (MCL 380.1284b).

(Reported by the Committee on Natural Resources, Great Lakes, Land Use, and Environment.)

### **HB** 4522 Rep. Sheltrown

Weapons; licensing; requirement of firearm training before issuance of concealed weapon permit; exclude certain veterans.

Amends sec. 5j of 1927 PA 372 (MCL 28.425j).

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

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### HB 4642 Rep. Jones

Weapons; other; licensed spouse to carry or transport another licensed spouse's inspected pistol; allow.

Amends sec. 12 of 1927 PA 372 (MCL 28.432).

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

(For proposed House substitute (H-1), see Session Website.)

### HB 4643 Rep. Jones

Weapons; licensing; issuance of concealed pistol license renewal; require within certain period of time.

Amends sec. 5l of 1927 PA 372 (MCL 28.425l).

(Reported by the Committee on Conservation, Forestry, and Outdoor Recreation.)

(For proposed House substitute (H-1), see Session Website.)

### HB 5002 Rep. Alma Smith

Health facilities; hospitals; quality assurance assessment; extend sunset and increase hospital appropriation.

Amends sec. 20161 of 1978 PA 368 (MCL 333.20161).

(Reported by the Committee on Appropriations.)

**—** 42 **—** 

### SB 438 Sen. Prusi

Appropriations; other; countercyclical budget and economic stabilization fund; make appropriations to general fund for fiscal year ending September 30, 2005.

Amends sec. 353c of 1984 PA 431 (MCL 18.1353c).

(Reported by the Committee on Appropriations.) (For Senate substitute (S-1), see Session Website.)

— 43 —

### SB 335 Sen. Jacobs

Health; other; children possessing and using epinephrine auto-injector or epinephrine inhalers at camps; allow under certain circumstances.

Amends sec. 1 of 1973 PA 116 (MCL 722.111) & adds sec. 17a.

(Reported by the Committee on Health Policy.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-2), see Session Website.)

#### SECOND READING

---- 44 ------

#### **HB 4959** Rep. Ward

Liquor; wine; direct shipment of wine for personal consumption in this state by a retailer; prohibit.

Amends secs. 113, 203 & 607 of 1998 PA 58 (MCL 436.1113 et seq.).

(Reported by the Committee on Regulatory Reform.)

### HB 4947 Rep. Palmer

Retirement; public school employees; contribution for teachers; define.

Amends secs. 4, 8, 25, 26, 34 & 91 of 1980 PA 300 (MCL 38.1304 et seq.) & adds secs. 41b, 109, 110, 111 & 112 & art. 7.

(Reported by the Committee on Education.)

(For proposed House substitute (H-1), see Session Website.)

<del>----- 46 ------</del>

#### SB 348 Sen. Cassis

Property tax; exemptions; income threshold to qualify for summer deferment for certain individuals; increase.

Amends sec. 51 of 1893 PA 206 (MCL 211.51).

(Reported by the Committee on Tax Policy.)

(For proposed House substitute (H-1), see Session Website.)

(For Senate substitute (S-1), see Session Website.)

### **HB** 4673 Rep. Pavlov

Crimes; controlled substances; distribution of a controlled substance to another individual who dies as a result of the substance; prohibit and provide penalty.

Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 317a.

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

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### HB 4674 Rep. Pavlov

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of unlawful delivery of a controlled substance resulting in the death of another person; enact.

Amends sec. 16p, ch. XVII of 1927 PA 175 (MCL 777.16p).

(Reported by the Committee on Judiciary.)

(For proposed House amendment, see House Journal No. 61, page 1119 or Session Website.)

**—** 49 **—** —

#### HB 4753 Rep. Meisner

Crimes; other; penalties for window peeping; revise. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding sec. 168a.

Reported by the Committee on Judiciary.)

(For proposed House amendment, see House Journal No. 61, page 1119 or Session Website.)

#### SECOND READING

<del>\_\_\_\_ 50 \_\_\_\_\_</del>

#### **HB 4865** Rep. Caul

Crimes; other; impersonating a firefighter or emergency medical service provider; prohibit and provide penalties for. Amends 1931 PA 328 (MCL 750.1 - 750.568) by adding

sec. 217f.

(Reported by the Committee on Judiciary.)

(For proposed House substitute (H-1), see Session Website.)

\_\_\_\_ 51 \_\_\_\_\_

### HB 4866 Rep. Caul

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of impersonating a firefighter or an emergency medical service provider; establish.

Amends sec. 16l, ch. XVII of 1927 PA 175 (MCL 777.16l).

Reported by the Committee on Judiciary.)

(For proposed House amendment, see House Journal No. 61, page 1120 or Session Website.)

\_\_\_\_\_ 52 \_\_\_\_

# **HB** 4514 Rep. Condino

Labor; hours and wages; employees who rely on tips; index wage to rate of inflation.

Amends 1964 PA 154 (MCL 408.381 - 408.398) by adding sec. 7b.

(Discharged from the Committee on Employment Relations, Training and Safety.)

\_\_\_\_ 53 \_\_\_\_

# **HB** 4515 Rep. Meisner

Labor; hours and wages; enforcement of minimum wage; prohibit retaliation for filing claim.

Amends sec. 15 of 1964 PA 154 (MCL 408.395).

(Discharged from the Committee on Employment Relations, Training and Safety.)

\_\_\_\_ 54 \_\_\_\_

### **HB** 4517 Rep. Miller

Labor; hours and wages; minimum wage; increase and index to rate of inflation.

Amends sec. 4 of 1964 PA 154 (MCL 408.384).

(Discharged from the Committee on Employment Relations, Training and Safety.)

— 55 ———

#### **HB** 4518 Rep. Gonzales

Labor; hours and wages; minimum wage; increase.

Amends sec. 4 of 1964 PA 154 (MCL 408.384).

(Discharged from the Committee on Employment Relations, Training and Safety.)

\_\_\_\_ 56 \_\_\_\_\_\_

#### **HB** 4519 Rep. Gleason

Labor; hours and wages; enforcement of minimum wage; increase fine for violations.

Amends sec. 13 of 1964 PA 154 (MCL 408.393).

(Discharged from the Committee on Employment Relations, Training and Safety.)

#### SECOND READING

- 57 —

#### HB 4804 Rep. Cheeks

Sales tax; collections; tax levy on sale of prepared food and beverage consumed on premises; provide for in a city with a population over 750,000.

Creates new act.

(Discharged from the Committee on Tax Policy.)

\_\_\_\_\_ 58 \_\_\_\_

### HB 4808 Rep. Lemmons, III

Income tax; city; nonresident tax for cities with population of 750,000 or more; allow to increase.

Amends sec. 3, ch. 1 of 1964 PA 284 (MCL 141.503) & adds sec. 3e to ch. 1.

(Discharged from the Committee on Tax Policy.)

#### **NOTICES**

Notice of intent given on Wednesday, June 29 to discharge **House Bill No. 4516** from the Committee on Employment Relations, Training and Safety on the next legislative day by Rep. Lemmons Jr.

#### STANDING COMMITTEE MEETINGS

(For an updated listing of committee meetings, go to http:\\www.michiganlegislature.org and click on Committee Meetings.)